

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

Gerald D. Yingst, III,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 14-2062-RWS
	)	
County of St. Louis, Missouri,	)	
	)	
James Vollmer, a police officer, in his	)	
individual capacity, and	)	
	)	
John Doe.	)	
	)	
Defendants.	)	

**JOINT PROPOSED SCHEDULE**

COME NOW the parties, by and through their attorneys, and respectfully submit a Joint Proposed Scheduling Plan pursuant to this Court's Order of April 7, 2015 (Doc. # 19):

I. **Scheduling Plan:**

1. The parties agree that this case is properly assigned to Track 2 (Standard).
2. All motions for joinder of additional parties or amendment of the pleadings should be filed no later than July 10, 2015.
3. Discovery shall proceed in the following manner:
  - (a) The parties agree to produce all electronically stored information (ESI) in the format maintained unless the party receiving the information does not have the capability to read it. In that case, the documents will be produced in Portable Document Format (PDF) format.

- (b) The parties agree that, pursuant to Federal Rule of Evidence 502(d), inadvertent production of any documents in this proceeding shall not, for purposes of this proceeding or any other proceeding in any other court, constitute, on its own, a waiver of any attorney-client privilege or attorney work product applicable to those documents.
- (c) The parties shall make all disclosures required by Fed. R. Civ. P. 26(a)(1) and including disclosure of locations and format of all discoverable electronically stored information (ESI) no later than May 29, 2015.
- (d) Discovery shall not be conducted in phases or limited to certain issues.
- (e) The parties may call expert witnesses.
  - 1. Plaintiff shall disclose expert witnesses and provide the reports required by Fed. R. Civ. P. 26(a)(2) no later than June 5, 2015. Plaintiff shall make experts available for deposition no later than July 2, 2015.
  - 2. Defendant shall disclose expert witnesses and provide the reports required by Fed. R. Civ. P. 26(a)(2) no later than July 17, 2015. Defendant shall make experts available for deposition no later than August 14, 2015.
  - 3. Any rebuttal experts shall be disclosed and shall provide the reports required by Fed. R. Civ. P. 26(a)(2), no later

than August 28, 2015, and be made available for depositions no later than September 18, 2015.

- (f) The presumptive limit of twenty-five (25) interrogatories per party as set forth in Fed. R. Civ. P. 33(a), shall apply. The presumptive limit of ten (10) depositions per side as set forth in Fed. R. Civ. P. 30(a)(2)(A) shall apply.
- (g) Motions for physical or mental examinations of the parties pursuant to Fed. R. Civ. P. 35 will not be made.
- (h) The parties shall complete all discovery in this case no later than October 2, 2015.

4. The parties believes that referral of this action to mediation would be appropriate after August 7, 2015.

5. Any dispositive motion must be filed no later than October 30, 2015. Response for any such motion will be due within 28 days of filing the motion. A reply is due within 14 days of filing the response.

II. Trial. The parties submit that this case will be ready for jury trial on or after January 4, 2016. It is anticipated that the length of time to try the case to verdict is approximately three days.

Respectfully submitted,

PETER J. KRANE  
COUNTY COUNSELOR

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**ATTORNEYS FOR PLAINTIFF**

Certificate of Service

I certify that on April 29, 2015, a copy of the foregoing was electronically filed with the Court using the CM/ECF system, which sent notification to counsel of record.

/s/ Anthony E. Rothert